

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BECKY BROSAMER,)	
)	
Plaintiff,)	
)	Case No. 2:14-CV-12818
v.)	
)	Honorable Lawrence P. Zatkoff
WALMART STORES INC. and)	
LIBERTY LIFE ASSURANCE)	Magistrate Judge Whalen
COMPANY,)	
)	
Defendants.)	

STIPULATION TO DISMISS
WALMART STORES INC. AS DEFENDANT

Now come Plaintiff Becky Brosamer and Defendants Liberty Life Assurance Company of Boston (“Liberty Life”) and Walmart Stores Inc. (“Walmart”), by and through their undersigned counsel, and stipulate as follows:

1. Plaintiff’s ERISA claim for disability benefits is asserted under a group disability income policy (the “Walmart Disability Policy”) issued by Liberty Life to Plaintiff’s employer, Walmart.
2. The parties agree that to the extent Plaintiff seeks benefits under the policy, Liberty Life is the proper defendant to that claim, inasmuch as Liberty Life is responsible for making decisions concerning benefit eligibility under the applicable group disability insurance policy and also for paying benefits under the

policy. The parties further agree that Liberty Life will not be asserting any defenses based on the absence of the Walmart as a defendant.

3. Based on the agreement reflected in paragraph 2 above, the parties stipulate that the Walmart be dismissed as a defendant without prejudice.

4. A proposed order is attached hereto for the Court's consideration, and will be sent to the Court's email site.

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Dated: December 15, 2014